



## **2 INCOME/CATEGORICAL ELIGIBILITY**

*Effective: 12/1/95*

### **2.11 Notification of Ineligibility/Termination**

*Revised: 1/3/00*

**POLICY:** Persons determined to be ineligible at the time of application/certification or terminated mid-certification must be informed in writing of the reasons for ineligibility/termination and the right to a fair hearing.

#### **PROCEDURE:**

##### **A. INELIGIBILITY**

Persons determined to be ineligible at application/certification (did not meet income, category, residence, or risk factor criteria) must be informed of ineligibility, the reason for ineligibility, and the right to a fair hearing.

1. Provide the person with a copy of the letter generated by DAISy or a copy of the WIC Ineligibility/Termination Waiting List Letter (DPH 4220). The project must retain the paper copy of the WIC Ineligibility/Termination Waiting List Letter (DAISy generated or DPH 4220) for 3 full fiscal years.
2. Program applicants found ineligible during the certification process should be provided the following information:
  - a) the purpose of the WIC Program; and,
  - b) the criteria used to determine eligibility, and that in the absence of nutritional risk(s), WIC benefits cannot be provided.
3. Do not issue drafts.

##### **B. MID-CERTIFICATION TERMINATION**

Participants terminated at mid-certification for income ineligibility must receive written notification of the reason for termination and the right to a fair hearing, no less than 15 days before the termination.

1. If ineligibility is determined on the pick-up day, these participants will receive one last full or partial package.
2. Provide the participant with a copy of the DAISy generated termination letter or a WIC Ineligibility/Termination Waiting List Letter (DPH 4220). The project must retain paper copies of the WIC Ineligibility/Termination Waiting List Letter (DAISy generated or DPH 4220) for 3 full fiscal years..



**C. MID-CERTIFICATION SUSPENSION**

Participants suspended at mid-certification for abuse must receive written notification of the reason for suspension and the right to a fair hearing, no less than 15 days before the suspension.

1. If a participant is suspended mid-certification for abuse and has WIC drafts, no additional drafts may be issued with the suspension. If the suspension letter is given on the pick-up day, the participant may only receive a partial package.
2. Provide the participant with a copy of the DAISy generated termination letter or a WIC Ineligibility/Termination Waiting List Letter (DPH 4220). The project must retain paper copies of the WIC Ineligibility/Termination Waiting List Letter (DAISy generated or DPH 4220) for 3 full fiscal years.

**D. NOTIFICATION**

Participants must be notified at least 15 days in advance that their certification period will be expiring (either verbally or in writing.)

**E. TERMINATION LETTERS**

Termination letters are not necessary when:

1. a participant becomes categorically ineligible (e.g., five years old, six months postpartum, when a woman stops breastfeeding an infant greater than six months old or the breastfed infant turns one year old) or fails to be recertified.
2. a participant is terminated for failing to pick-up drafts. If the participant returns, the termination may be reversed and the participant may receive program benefits until the certification period expires. (See the section on waiting list if applicable.) The System Manual addresses reversing the termination.
3. A participant is sent a Suspension Letter which offers a fair hearing. See policy 8.6 Notification of Actions.